



UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION
OFFICE OF THE SECRETARY
WASHINGTON, D.C.

Issued by the Department of Transportation on April 22, 1998

NOTICE OF ACTION TAKEN -- DOCKET OST 96-1300 & OST-96-1368

This serves as notice to the public of the action described below, taken by the Department official indicated (no additional confirming order will be issued in this matter).

Application of **CONTINENTAL AIRLINES, INC.,** filed **3/23/98** for:

XX Renewal for two years of exemption under 49 U.S.C. 40109 to provide the following service:

Docket OST-96-1300: Scheduled foreign air transportation of persons, property, and mail between Houston, Texas, and San Jose del Cabo.

Docket OST-96-1368: Scheduled foreign air transportation of persons, property, and mail between Houston, Texas, and Mazatlan, Mexico.¹

Applicant rep: **R. Bruce Keiner, Jr. (202)624-2500** DOT Analyst: **Linda L. Lundell (202) 366-2336**

DISPOSITION

XX **Granted (see remarks)**

The above action was effective when taken: **April 22, 1998,** through **April 22, 2000,** or until 90 days after final Department action on a corresponding certificate application, whichever occurs earlier.

Action taken by: Paul L. Gretch, Director
Office of International Aviation

XX **The authority granted is consistent with the aviation agreement between the United States and Mexico.**

Except to the extent exempted or waived, this authority is subject to the terms, conditions, and limitations indicated:

XX **Holder's certificate of public convenience and necessity**

XX **Standard Exemption Conditions (attached)**

Special Conditions/Remarks: **The U.S.-Mexico exemption authority granted is subject to the dormancy notice requirements set forth in condition 7 of Appendix A of Order 88-10-2.**

Consistent with our stated policy in favor of direct carrier services in the U.S.-Mexico market (those services operated by carriers with their own aircraft--Order 97-9-38), we granted Continental's unopposed application.

On the basis of data officially noticeable under Rule 24(n) of the Department's regulations, we found the applicant qualified to provide the services authorized.

Under authority assigned by the Department in its regulations, 14 CFR Part 385, we found that (1) immediate action was required and was consistent with Department policy; (2) grant of the exemption was consistent with the public interest; and (3) grant of the authority would not constitute a major regulatory action under the Energy Policy and Conservation Act of 1975. To the extent not granted, we denied all requests in the referenced Docket. We may amend, modify, or revoke the authority granted in this Notice at any time without hearing at our discretion.

Persons entitled to petition the Department for review of the action set forth in this Notice under the Department's regulations, 14 CFR §385.30, may file their petitions within ten (10) days after the date of issuance of this Notice. This action was effective when taken, and the filing of a petition for review will not alter such effectiveness.

*An electronic version of this document is available on the World Wide Web at:
<http://dms.dot.gov/general/orders/aviation.html>.*

¹ In this application, Continental did not seek to renew authority originally granted in Docket OST-96-1368 to serve the Houston-Veracruz market. Continental obtained new exemption authority, in Docket OST-97-3272, to serve the Houston-Veracruz market in January 1998 (see Order 98-3-1).